

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT
REVISED

DATE: November 7, 2000

TO: Orange County Planning Commission

FROM: Planning & Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA00-0061 for Use Permit

PROPOSAL: Establishment and operation of a non-denominational private elementary/junior high school for a maximum enrollment of 396 students from pre-kindergarten through eighth grade. Staff for the school includes two principals, 22 teachers and three office staff. All structures on site will be factory-built modular units. There are 14 modular classroom structures for first through eighth grade; an administration modular; pre-kindergarten and kindergarten modulars; and, modular restroom. Other uses of the site include hard surface and grass surface play areas, a soccer field and a parking area for 58 vehicles (37 required). Access to the site is from Santiago Blvd.

LOCATION: 19111 Villa Park Road, Orange, which is at the northwest corner of Villa Park Road and Santiago Blvd. Third Supervisorial District.

APPLICANT: George Adams, agent for Oakridge School, project developer
Thomas V. Reeve III, property owner

STAFF CONTACT: William V. Melton, Project Manager
Phone: (714) 834-2541 FAX: (714) 834-4652

SYNOPSIS: Current Planning Services Division recommends the Planning Commission evaluate the merits of the proposal and either; approve subject to findings and conditions, disapprove or modify Planning Application PA00-0061.

This staff report contains text revisions. The revised text areas are highlighted in this report; and, will be further discussed by staff at the public hearing.

BACKGROUND:

The subject site is a 6.7 acre County Island zoned A1 "General Agricultural" FP "Flood Plain"-2. The site is located adjacent to the cities of Villa Park to the north and west and Orange to the south and east. The site is triangular in shape, measuring approximately 772 feet along Villa Park Road, 727 feet on Santiago Blvd and 990 feet on the third side, adjacent to Santiago Creek. The site has a rise in grade elevation of approximately 25 feet from the low point in the southern corner to the high point in the western corner. The northern portion of the site, adjacent to Santiago Blvd, has a level area approximately 150 feet in

width. Access to the site is from Santiago Blvd. only. This location was selected for the placement of the modular units because a previous use of the site was as a County refuse pit. The 150 feet wide strip of land is outside the area that was use for refuse deposits.

Oakridge Private School submitted its proposal to operate a private school on this site in mid 2000. The proposal is to move 21 modular buildings onto the site to be used for classrooms, offices and restrooms. No permanent buildings with foundations are proposed. All the modulars are located in a 150 feet wide strip of land running parallel to Santiago Blvd. A parking area and drop-off area is provided at the intersection of Villa Park Road and Santiago Blvd. The proposal also includes approximately 45,000 cubic yard fill material placed in the low area of the site to create a soccer field.

The school proposes normal school operations between the hours of 7:00 a.m. to 3:30 p.m. Monday through Friday. The school operates on staged hours, with morning day care starting at 7:00 a.m. and preschool through 2nd grade from 9:00 a.m. to 3:30 p.m. After school sports for grades six through eight is proposed from 2:30 p.m. to dusk. There are no night time activities planned so there is no need to light the play area or soccer fields for night use. Security lighting is proposed. The applicant indicated to staff that the school will make the parking area and play areas available to the community for limited weekend use.

Oakridge Private School was founded in the early 1980s. It was originally located on a leased site in the City of Tustin. The school then moved to a 15 acre leased site in the City of Orange. According to the applicant, while the school was in the process of purchasing the property, the City of Orange took ownership of the site through imminent domain. The school was then re-located to Irvine School District property located within the perimeter of the now closed El Toro Marine Corps Air Station. The school district informed Oakridge that the facility will have to move out by January, 2001 because the school district has plans for the site that preclude Oakridge's continuation at this location. New modular units needed for Oakridge at the proposed location have been purchased and are in temporary storage at the manufacturer's facility.

The project site was once used for gravel mining and later as a County landfill known as the *Reeve Pit Refuse Disposal Station* (Reeve Pit). The County closed operation of the site as a refuse disposal pit sometime in the early 1960s. The site has been vacant since the facility closed. Reeve Pit was also larger in the past. Villa Park Road was constructed over a portion of the landfill leaving an undeveloped acre plus portion of the refuse pit land on the south side of Villa Park Road. As a refuse pit, Reeve Pit accepted principally ~~clean refuse and~~ household waste, hazardous waste was not to be deposited at this location. The County Integrated Waste Management Department (IWMD) operates groundwater quality monitoring wells and probes around the perimeter of the refuse pit to monitor groundwater quality ~~the condition of the site and gas monitoring probes at a County fire station located across Villa Park Road from the project site.~~

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were

distributed for review and comment to seven County Divisions. Comments received have been incorporated have been incorporated into the Conditions of approval.

Additionally, a copy of the planning application and the proposed site plan together with the Mitigated Negative Declaration were distributed for review and comment to the Integrated Waste Management Agency (IWMD), Regional Water Quality Control Board (RWQCB), HCA/Local Enforcement Agency (LEA), South Coast Air Quality Management Department (AQMD), the City of Villa Park and the City of Orange. Comments raising issues with the project and the negative declaration have been received from several County and State agencies including: LEA, IWMD, AQMD and RWQCB. These comments received were related both to the proposal and to the Negative Declaration that was prepared for the proposal. Please refer to the Environmental Documentation (Exhibit 2) for specific comments and County responses to those comments. All the mitigation measures that resulted from specific comments have been incorporated into recommended Conditions of Approval.

The City of Orange made numerous comments that the proposal needed to meet City building and fire regulations. Since the proposal is still under County jurisdiction and subject to County regulations, the proposal will be reviewed to meet applicable County codes, regulations and standards. Applicable State regulations and Orange County Fire Authority codes and regulations are also incorporated into the recommended Conditions of Approval. However, the City of Orange will provide sewer and water to the site. Their comments regarding sewer and water have been incorporated into the recommended Conditions of Approval.

Staff also notes that the project site is adjacent to both the City of Orange and City of Villa Park. The project site is within the sphere of influence of the City of Orange. The City of Orange will be the provider of water and sewer to the site. The City has indicated that it may annex the site at a future date. The applicant originally contacted the City of Orange to inquire if the City would be the lead agency because the project site is in its sphere of influence. The City elected to permit the County to process the application. However, the site would eventually be annexed by the City.

SURROUNDING LAND USE:

Direction	Zoning	Existing Land Use
Project Site	A1 "General Agricultural" A1/FP "Flood Plane"-2	Vacant
North	SG "Sand and Gravel"(FP-1)	Vacant, open space (Santiago Creek)
South	City of Orange A1 "General Agricultural"	Residential and OCFA fire station Vacant
East	City of Orange	Commercial Nursery
West	SG "Sand and Gravel"(FP-1)	Vacant, open space (Santiago Creek)

CEQA COMPLIANCE:

The PDSD/Environmental & Project Planning Services Division serves as the Lead Division for compliance with the California Environmental Quality Act (CEQA) for projects for which Orange County is the Lead Agency. The primary responsibility of the Lead Division is to ensure that all environmental documentation meets the requirements of the CEQA Statutes, and Guidelines and the County of Orange procedures pertaining to the environmental review process, consultation, notification and document content.

I. NEGATIVE DECLARATION SUMMARY:

A. Summary of Project Activities and Associated Approvals

Approval of Planning Application, PA 000061, will entitle the following:

- Use Permit to establish the Oakridge Private School, a private elementary school grades K through 8.
- A classroom for pre-school age children.
- A total number of students, including pre-school children, limited to a maximum of 396.
- Establishment the classrooms in modular buildings to be permanently located on the project site.
- Establishment of a play/recess area that includes basketball courts, volleyball courts, tetherball, several 4-square courts, and a handball wall over the area previously a landfill.
- Establishment of an athletic (soccer) field over the area previously utilized as a landfill.

B. Potentially Significant Impacts Avoidable Through Mitigation or Plan Redesign

Negative Declaration, PA 000061, identified the following areas of potential impact. These potential impacts will be reduced to a level less than significant, after the imposition of project redesign, Standard Conditions and/or Mitigation Measures:

- ***Water - Potential for Contaminated Nuisance Groundwater.***
- ***Hazards - Exposure of people to existing sources of health hazards.*** The proposed project is located immediately adjacent to the Reeves Pit Landfill. The landfill discontinued accepting refuse in the early 1960s. In Orange County, Title 27 of the California Code of Regulations is administered by the Local Enforcement Agency (LEA). The South Coast Air Quality Management District (SCAQMD), and the California Regional Water Quality Control Board (RWQCB), Santa Ana Region provide concurrent review ~~concurrent~~. Mitigation measures 7, 13 and 14 will ensure that potential impacts will be mitigated to a level less than significant.

II. THE PUBLIC REVIEW PROCESS:

The public review period for Negative Declaration PA 000061 was from September 1, 2000 until 4:30 on October 2, 2000. Comments were received during this public review period. Responses, which included as Exhibit 2, are provided to the Planning Commission prior to the November 7th Hearing so that the decision making body can consider the whole record, including the initial study and any comments received during the public review process.

Prior to project approval, this ND must be found adequate to satisfy the requirements of CEQA by the Planning Commission. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The subject site is zoned A1 "General Agricultural" District" with a FP "Flood Plain"-2 District overlay. The FP-2 zoned portion of the site is located westerly of the proposed location of the school buildings and does not effect the placement of the school buildings. A1 zoning permits "educational institutions" subject to the approval of a Use Permit by the Zoning Administration. Because of the sensitivity of the proposal, the Director of Planning and Development Services determined that the proposal should be reviewed by the Planning Commission as is permitted by Zoning Code Section 7-9-150.3.

As mentioned, the site was a gravel pit and later the former Reeve Pit Refuse Disposal Station. The site was in operation during the 1950s to the early 1960s and was operated consistent with regulations in place at that time. ~~Unlike controlled County sanitary landfills (such as the Frank R. Bowerman, Prima Deshecha and the now closed Coyote Canyon landfills), the Reeve Pit was uncontrolled.~~ When the site was operated as a County refuse pit, the public could drive to the site and dump refuse. It was intended that ~~clean refuse and household wastes~~ would be deposited at the site; however, there is evidence, based upon work completed by EMCON/OWT Solid Waste Services, for the applicant, that other materials may have been deposited in the refuse pit. Air samples collected at the site by EMCON/OWT detected; benzene, vinyl chloride, chlorobenzene and toluene. ~~that besides the household wastes. Other materials including: paints, solvents, oils, pesticides, chemicals, asbestos, etc., were also dumped in the pit.~~

~~The presence of other materials has provided the impetus for the ongoing monitoring program that IWMD conducts offsite water quality monitoring along the perimeter of the property. The monitoring program is intended to ensure that methane or other gases or leachates remain on site and do not migrate to adjacent properties.~~ In response to a methane gas migration problem which affects the nearby fire station located across Villa Park Road to the south of the subject site ~~special building foundation shielding and a sophisticated~~ an "air dam" (or air curtain) was installed to prevent methane gas concentrations within the interior of the fire station structure.

Tests for landfill gas at the site and adjacent to the site are ongoing through *IWMD's Closed Landfill Environmental Assessment and Response Project (CLEAR)*. The CLEAR project studies potential gas migration based upon current land use and not in relation to the Oakridge School request. In a recent test conducted during the week of September 11, 2000 by consultants for IWWD using probes at depths of 70 feet, resulted in readings of methane gas at five percent by volume in the air. The test results were reported to both LEA and the applicant. Methane gas in this concentration in a confined space can become explosive. Based on this information, the LEA will determine any further course of action.

The applicant is aware of the methane gas migration situation and has had numerous studies and testing performed at the site by professionals. Included with Exhibit 1 is report prepared by EMCON/OWT Solid Waste Services on behalf of the applicant to address the environmental issues related to the proposal. The applicant's proposal calls for the all the modular units to positioned in such a manner so that an air space is created under each unit. The applicant asserts that by providing an air space under every modular unit, any methane gas that may leak from the landfill will dissipate before infiltrating into a modular unit. In addition, other mitigation measures such as providing special seals for electrical conduits, equipping each modular with a gas monitoring system and an alarm to warn of any gas build-up and providing additional probes between the units and the edge of the landfill to provide early warning of any gas migration. The applicant is convinced that through the application of mitigation, the site can be made safe for the proposed school. The applicant has also stated to staff that the parents of the students are aware that the proposed site is an old refuse pit and that methane gas has been detected.

Besides the concerns related to siting the school so near to the refuse pit, staff has concerns related to the compatibility with the adjacent retail/wholesale nursery located on the easterly side of Santiago Blvd. directly across from the proposed location of the modular school buildings. The applicant proposes to locate the modular buildings outside the boundary of the refuse pit. In order to do this; the modulars must be placed within a narrow 150 feet wide strip of land five feet from the side property line nearest the nursery. Five feet is the side setback requirement for the A1 District. Santiago Blvd. serves as the main entrance to the nursery. Large tractor-trailer trucks and other nursery-related vehicles travel this dead-end street. Also the nursery conducts nursery-related activities adjacent to the street, including log splitting and some vehicle maintenance. In addition, customer parking is located perpendicular to Santiago Blvd. Staff is concerned that the amount of vehicle traffic and activity of the nursery poses a conflict with the proposed school. Staff is concerned that vehicles could back across Santiago Blvd. or maneuver in such a way as to threaten the modular buildings. Also, the noise generated by trucks and nursery equipment so close to the school does not appear conducive to learning. To address each concern, staff has prepared two conditions of approval. One Condition of Approval requires the applicant to design and install some type of safety guardrail system between the classroom modulars and the Santiago Blvd. right-of-way. To address the noise concern, staff has recommended the standard noise conditions requiring the applicant to show that the classroom units are sound attenuated to standard County interior noise levels.

CONCLUSION:

The Oakridge Private School proposal is an extremely unique project created by its proposed location adjacent to a closed refuse pit and to a wholesale/retail nursery. In this report, staff have discussed the site concerns and reported that technical reviewers such as LEA, AQMD and RWQCB have been contacted to comment on the application. None has commented that a private school is prohibited under their regulations from being located as proposed. Each as offered various conditions of approval for monitoring and mitigating possible impacts. The exact extent of these monitoring programs is not know at this time. Staff notes that the State Education Code (Section 17213) does not permit the location of a public school atop a landfill.

Staff has express its reservations concerning the compatibility of the school with the operations of the adjacent nursery. We recognize that the applicant has expressed a willingness to comply with all the various monitoring and mitigation required by the regulatory agencies. Despite their earnestness, staff is

not able to make a favorable recommendation because the cost, extent and oversight aspects of these monitoring and mitigation programs are unknown. Staff has attempted in this report to present the facts of this request supported by the Mitigated Negative Declaration and other attendant materials. We request the Planning Commission consider those materials and public testimony at the November 7, 2000 public hearing; and evaluate the merits of the project and take the appropriate action to: approve, disapprove, or modify the proposal.

RECOMMENDED ACTION:

Planning and Development Services Department/Current Planning Services Division recommends the Planning Commission:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Evaluate the merits of the proposal and either; approve (with the findings and conditions included), disapprove or modify Planning Application PA00-0061.

Respectfully submitted,

John B. Buzas, Manager
Current Planning Services Division

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APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

1. Applicant's Letter of Explanation and a report prepared by EMCON/OWT Solid Waste Services
2. Environmental Documentation
3. Site Plans

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Orange County Planning Commission on this permit to the Board of Supervisors within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.



Appendix A

Findings

PA000061

1	GENERAL PLAN	PA000061
That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.		
2	ZONING	PA000061
That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.		
3	COMPATIBILITY	PA000061
That the location, size, design and operating characteristics of the proposed use will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental, or incompatible with other permitted uses in the vicinity.		
4	GENERAL WELFARE	PA000061
That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.		
5	PUBLIC FACILITIES	PA000061
That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).		
6	NEGATIVE DECLARATION	PA000061 (Custom)
That in accordance with Section 21080(c) of the Public Resources Code and CEQA Guidelines Section 15074, Negative Declaration No. PA000061, which reflects the independent judgment of the lead agency, satisfies the requirements of CEQA and is approved for the proposed project based upon the following findings:		
a. The Negative Declaration and Comments on the Negative Declaration received during the public review process were considered and the Negative Declaration was found adequate in addressing the impacts related to the project; and		
b. There is no substantial evidence that the project, with the implementation of the mitigation measures, if any, which are included in the Negative Declaration, will have a significant effect on the environment; and		
c. Pursuant to Public Resources Code Section 21081.6, the Mitigation Monitoring and Reporting Program is adopted.		
d. As a result of the public review process for proposed mitigated negative		

declaration PA 000061, the lead agency concluded that certain mitigation measures identified in the mitigated negative declaration PA 000061 have been revised or substituted for other measures which the lead agency determined are equivalent or more effective, which will avoid or reduce the significant effect to at least the same degree as, or a greater degree than, the original measure and will create no more adverse effect of its own than would have the original measure.

e. Recirculation of the proposed mitigated negative declaration pursuant to CEQA Guidelines §15072 is not required where the new or revised mitigation measures are made conditions of, or are otherwise incorporated into, project approval in accordance with section § 15074.1.

7

FISH & GAME - EXEMPT

PA000061

That pursuant to Section 711.4 of the California Fish and Game Code, this project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.

8

NCCP NOT SIGNIFICANT

PA000061

That the proposed project will not have a significant unmitigated impact upon Coastal Sage Scrub habitat and therefore, will not preclude the ability to prepare an effective subregional Natural Communities Conservation Planning (NCCP) Program.



Appendix B

Conditions of Approval

PA000061

1 CP CP NA BASIC/ZONING REG PA000061

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

2 CP CP NA BASIC/TIME LIMIT PA000061

This approval is valid for a period of 24 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 CP CP NA BASIC/PRECISE PLAN PA000061

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 CP CP NA BASIC/COMPLIANCE PA000061

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

5 CP CP NA BASIC/OBLIGATIONS PA000061

Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

6 CP CP NA BASIC/APPEAL EXACTIONS PA000061

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 SG SG GB DRAINAGE STUDY PA000061

Prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, Subdivision and Grading:

- A. A drainage study of the project including diversions, off-site areas that drain

onto and/or through the project, and justification of any diversions; and

B. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and

C. Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

8 SG SG GB DRAINAGE IMPROVEMENTS PA000061

A. Prior to the issuance of any grading permits, the applicant shall in a manner meeting the approval of the Manager, Subdivision and Grading:

- 1) Design provisions for surface drainage; and
- 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and
- 3) Dedicate the associated easements to the County of Orange, if determined necessary.

B. Prior to the issuance of any certificates of use and occupancy, said improvements shall be constructed in a manner meeting the approval of the Manager, Construction.

9 SG SG G DRAINAGE OFFSITE PA000061 (Custom)

Prior to the issuance of any grading permit, and if determined necessary by the Manager, Subdivision and Grading, the applicant shall record a letter of consent, from the upstream and/or downstream property owners permitting drainage diversions and/or unnatural concentrations. The form of the letter of consent shall be approved by the Manager, Subdivision and Grading Services prior to recordation of the letter.

10 F F GBU FIRE HYDRANTS PA000061

A. Prior to the issuance of any grading permit, the applicant shall submit a fire hydrant location plan for the review and approval of the Fire Chief.

B. Prior to the issuance of a building permit, the applicant shall submit to the Fire Chief evidence of the on-site fire hydrant system and indicate whether it is public or private. If the system is private, the system shall be reviewed and approved by the Fire Chief prior to issuance of the building permit. Provisions shall be made by the applicant for the repair and maintenance of the system, in a manner meeting the approval of the Fire Chief.

C. Prior to the issuance of any certificate of use and occupancy, all fire hydrants shall have a blue reflective pavement marker indicating the fire hydrant location on the street or drive per the Orange County Fire Authority Standard as approved by the Fire Chief. These markers are to be maintained in good condition by the property owner.

11 F F B WATER AVAILABILITY PA000061

Prior to the issuance of a building permit, the applicant shall provide evidence of adequate fire

flow. The Orange County Fire Authority Water Availability for Fire Protection form shall be signed by the applicable water district and submitted for approval to the Orange County Fire Authority. If sufficient water to meet fire flow requirements is not available, an automatic fire extinguishing system may be required in each structure affected by the insufficient fire flow.

12 F F RBU AUTOMATIC FIRE SPRINKLER PA000061 (Custom)

A. Prior to the issuance of a building permit, the applicant shall submit plans for any required automatic fire sprinkler system in any structure to the OCFA for review and approval.

B. Prior to the issuance of a certificate of use and occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.

13 F F RG FIRE ACCESS ROADS PA000061 (Custom)

A. Prior to issuance of any grading permits, the applicant shall submit and obtain approval of plans for all roads, streets and courts, public or private, from the Fire Chief in consultation with the Manager, Subdivision and Grading Services. The plans shall include the plan view, sectional view, and indicate the grade and width of the street or court measured flow line to flow line. All proposed fire apparatus turnarounds shall be clearly marked when a dead-end street exceeds 150 feet or when otherwise required. Approved documents, shall contain provisions which prohibit obstructions such as speed bumps/humps, control gates or other modifications within said easement without prior approval of the Fire Chief.

B. Street Signs. A note shall be placed on the fire protection access easement plan indicating that all street/road signs shall be designed and maintained to be either internally or externally illuminated in a manner meeting the approval of the Fire Chief.

14 F F BU STREET MARKINGS PA000061 (Custom)

A. Prior to the issuance of a building permit, the applicant shall submit plans and obtain approval from the Fire Chief for fire lanes on required fire access roads less than 36 feet in width. The plans shall indicate the locations of red curbing and signage. A drawing of the proposed signage with the height, stroke and color of lettering and the contrasting background color shall be submitted to and approved by the Fire Chief.

B. Prior to issuance of any certificate of use and occupancy, the fire lanes shall be installed in accordance with the approved fire lane plan in a manner meeting the approval of the Fire Chief. Approved documents, shall contain a fire lane map and provisions which prohibit parking in the fire lanes. The method of enforcement shall be documented.

15 F F GBU FUEL MODIFICATION PA000061

A. Prior to the issuance of a preliminary grading permit, the applicant shall obtain the approval of the Fire Chief, in consultation with the Managers, Environmental and Project Planning Services, Current Planning Services and Subdivision and Grading Services of a conceptual fuel modification plan and program.

B. Prior to the issuance of any precise grading permit, the applicant shall obtain the approval of the Fire Chief, in consultation with the Managers, Environmental and Project Planning Services, Current Planning Services, and Subdivision and Grading Services of a precise fuel modification plan and program. The plan shall indicate the proposed means of achieving an acceptable level of risk to the structures by vegetation.

C. Prior to the issuance of a building permit, the developer shall have completed, under the supervision of the Fire Chief, that portion of the approved fuel modification plan determined to be necessary by the Fire Chief before the introduction of any combustible materials into the project area. Approval shall be subject to on-site inspection.

D. Prior to issuance of any certificate of use and occupancy, the fuel modification shall be installed and completed under the supervision of the Fire Chief. Further, the installed fuel modification plant pallet shall be established to a degree meeting the approval of the Fire Chief. The CC&R's, or other approved documents, shall contain provisions for maintaining the fuel modification zones including the removal of all dead and dying vegetation subject to triennial inspections.

16 F F B COMBUSTIBLE CONSTRUCTION LETTER PA000061

Prior to the issuance of a building permit for combustible construction, the builder shall submit a letter to the Fire Chief on company letterhead stating that water for fire-fighting purposes and the all weather fire protection access roads shall be in place and operational before any combustible material is placed on-site.

17 F F G COMBUSTIBLE GAS MITIGATION PA000061

Prior to the issuance of any grading permit, the applicant shall submit and obtain approval of the Fire Chief for a combustible gas/methane assessment and mitigation plan.

18 F F B BUILDING USE LETTER PA000061

Prior to the issuance of a building permit, the applicant shall submit a detailed letter of intended use for each building on-site to the Fire Chief for review and approval.

19 F F BU FIRE ALARM SYSTEM PA000061

A. Prior to the issuance of a building permit, plans for the fire alarm system shall be submitted to the Fire Chief for review and approval.

B. Prior to the issuance of a certificate of use and occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.

20 SG SG G GEOLOGY REPORT PA000061

Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Subdivision and Grading, for approval. The report shall include the information and be in the form as required by the Grading Manual.

21 SG SG G GRADING DEVIATION PA000061

Prior to the issuance of any grading permits, if the applicant submits a grading plan which the Manager, Subdivision and Grading, determines to show a significant deviation from the grading shown on the approved tentative map, specifically with regard to slope heights, slope ratios, pad elevations or pad configuration, the Subdivision Committee shall review the plan for a finding of substantial conformance. If the Subdivision Committee fails to make such a finding, the applicant shall process a revised tentative map; or, if a final map has been recorded, the applicant shall process a new tentative map or a site development permit application per Orange County Zoning Code Sections 7-9-139 and 7-9-150. Additionally, the applicant shall process a new environmental assessment for determination by the decision making entity.

22 SG SG RG CROSS LOT DRAINAGE PA000061 (Custom)

Prior to the issuance of any grading permit, and if determined necessary by the Manager, Subdivision and Grading, the applicant shall record a letter of consent from the affected property owners permitting offsite grading, cross lot drainage, drainage diversions and/or unnatural concentrations. The applicant shall obtain approval of the form of the letter of consent from the Manager, Subdivision and Grading Services before recordation of the letter.

23 SG SG/BI GU PRIVATE LANDSCAPING PA000061 (Custom)

A. Prior to the issuance of precise grading permits, the applicant shall prepare a detailed landscape plan for privately maintained areas which shall be reviewed and approved by the Manager, Subdivision and Grading. The plan shall be certified by a licensed landscape architect or a licensed landscape contractor, as required, as taking into account approved preliminary landscape plan (if any), County Standard Plans, adopted planned community regulations, scenic corridor and specific plan requirements, Grading and Excavation Code erosion control requirements, Subdivision Code, Zoning Code, and conditions of approval, Water Conservation Measures contained in Board Resolution 90-487 (Water Conservation Measures) and Board Resolution 90-1341 (Water Conservation Implementation Plan). Said plan shall be reviewed and approved by the Manager, Subdivision and Grading.

B. Prior to the issuance of certificates of use and occupancy, applicant shall install said landscaping and irrigation system and shall have a licensed landscape architect or licensed landscape contractor, certify that it was installed in accordance with the approved plan.

C. Prior to the issuance of any certificates of use and occupancy, the applicant shall furnish said installation certification, including an irrigation management report for each landscape irrigation system, and any other implementation report determined applicable, to the Manager, Building Inspection Services

24 EP BP B LIGHT AND GLARE PA000061

Prior to issuance of any building permit, the applicant shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property in a manner meeting the approval of the Manager, Building Permit Services.

25 BP BP B ACOUST NON-RESIDENTIAL PA000061

Except when the interior noise level exceeds the exterior noise level, the applicant shall sound attenuate all nonresidential structures against the combined impact of all present and projected noise from exterior noise sources to meet the interior noise criteria as specified in the Noise Element and Land Use/Noise Compatibility Manual.

Prior to the issuance of any building permits, the applicant shall submit to the Manager, Building Permit Services, an acoustical analysis report prepared under the supervision of a County-certified acoustical consultant which describes in detail the exterior noise environment and the acoustical design features required to achieve the interior noise standard and which indicates that the sound attenuation measures specified have been incorporated into the design of the project.

26 BP BP G CONSTRUCTION NOISE PA000061

A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building Permit s Services, that:

(1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers.

(2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).

(3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

27 SG SG B ROAD FEE PROGRAM PA000061 (Custom)

Prior to the issuance of building permits, the applicant shall pay fees for the Major Thoroughfare and Bridge Fee Program listed below, in a manner meeting the approval of the Manager, Subdivision and Grading.

a. Foothill/Eastern Transportation Corridor

28 SG SG G SIGHT DISTANCE PA000061

Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Subdivision and Grading. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Subdivision and Grading Services.

29 SG SG G DROP-OFF/PICK-UP AREA PA000061 (Custom)

Prior to the issuance of any grading permits, the parking stalls at the student drop-off/pick-up location shall be deleted in a manner meeting the approval of the Manager, Subdivision and Grading Services Division.

30 SG SG G FRONTAGE IMPROVEMENTS PA000061 (Custom)

Prior to the issuance of any building permits, the applicant shall design and construct improvements along the project's frontage on Santiago Blvd. consisting of full width from Villa Park Road to the access driveway, and half-width A.C. Pavement and Curb & Gutter from the access driveway to the dead end, and half a Cul-De-Sac at the dead end, in a manner meeting the approval of the Manager, Subdivision and Grading Services Division.

31 CP CP/SG BU GUARD RAIL PA000061 (Custom)

Prior to the issuance of a building permit, the applicant shall design a guard rail system to be located between the class room modular units along Santiago Blvd and the Santiago Blvd. right-of-way, in a manner meeting the approval of the Managers of Current Planning Services and Subdivision and Grading Services. Said guard rail system shall be installed prior to the issuance of a use and occupancy permit.

32 SG SG GB POLLUTANT RUNOFF PA000061

Prior to issuance of precise grading or building permits, whichever comes first, the applicant shall submit and obtain approval from Manager, Subdivision and Grading, of a Water Quality

Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. This WQMP shall identify, at a minimum, the routine, structural and non-structural measures specified in the Countywide NPDES Drainage Area Management Plan (DAMP) Appendix G. The WQMP shall detail s implementation of BMPs whenever they are applicable to a project, specify the long term maintenance responsibilities (specifying the developer, parcel owner, maintenance association, lessee, etc.);, and, shall reference the location(s) of structural BMPs.

33 SG SG G

NPDES PERMIT

PA000061

Prior to issuance of any grading permits, the applicant shall submit evidence to the Manager, Subdivision and Grading, that the applicant has obtained coverage under the NPDES statewide General Construction Activity Stormwater Permit from the State Water Resources Control Board.

34 CP SG B

CITY OF ORANGE

PA000061 (Custom)

Prior to the issuance of building permits, the applicant shall submit information to the Manager, Subdivision and Grading Services that sewer and water lines to service the site have been constructed in a manner meeting the approval of the City of Orange Public Works Department and Water Department.

35 CP SG U

SAFETY CODE SECTION 15249.6

PA000061 (Custom)

Prior to the issuance of a use and occupancy permit, the applicant shall post a warning notification sign near the entrance to the site in conformance with State of California Health and Safety Code Section 15249.6. Said wording of sign shall conform to State laws. The location of the sign shall be reviewed by the Manager, Current Planning Services Division prior to installation.

36 EP SG GB

MITIGATION MEASURE 1

PA000061 (Custom)

Prior to issuance of grading or building permit, whichever comes first, the applicant shall submit a Final Geotechnical Report to the Manager, PDS/Subdivision and Grading Services with concurrence from the South Coast Air Quality Management District (SCAQMD), and the California Regional Water Quality Control Board (RWQCB), Santa Ana Region. Appropriate seismic design provisions shall be included in the project design in accordance with the recommendations of the geotechnical and structural engineers and geologists for the project. If remedial grading operation is required, the proposed grading plan must also be reviewed by the County of Orange Health Care Agency/Environmental Health as the solid waste Local Enforcement Agency (LEA) with concurrence from the South Coast Air Quality Management District (SCAQMD), and the California Regional Water Quality Control Board (RWQCB), Santa Ana Region

37 EP SG G

MITIGATION MEASURE 2

PA000061 (Custom)

Prior to issuance of grading permits the following will be verified by the Manager, Subdivision and Grading with concurrence from the South Coast Air Quality Management District (SCAQMD), and the California Regional Water Quality Control Board (RWQCB), Santa Ana Region. Fill soils shall be placed at a high moisture content, generally at a minimum of two percent greater than the optimum moisture content needed for compaction. Placing the fill at a higher relative compaction may shorten the settlement period, but will not necessarily reduce the potential for hydrocompaction. The amount and rate of settlement depends on the characteristics of the soil fills. Clayey soils generally take longer to compress. If buildings are planned in fill areas (current project plans call for a soccer field in the deep fill portion of the site), fills shall be monitored for a period of three to six months, and then on a yearly basis for five years. Construction of any buildings (none are proposed) in the fill area will occur only after any settlement has slowed to acceptable levels, per County standards and approval. Over-excavation of fill in building areas shall be incorporated into project grading plans. Remedial grading operation if required, must

also be reviewed and approved by the County of Orange Health Care Agency/Environmental Health as the solid waste Local Enforcement Agency (LEA) with concurrence from the South Coast Air Quality Management District (SCAQMD), and the California Regional Water Quality Control Board (RWQCB), Santa Ana.

38 EP SG G MITIGATION MEASURE 3 PA000061 (Custom)

Prior to issuance of grading permits, a permanent Erosion Control Plan shall be submitted meeting the approval of the Manager, Subdivision and Grading Services. The Erosion Control Plan shall include methods and devices pursuant to the County Drainage Area Management Plan (DAMP) or other County standards that will reduce erosion to less than significant levels, as determined by the project geotechnical engineer. Methods and devices for permanent erosion control may include, but not be limited to, proper maintenance of drainage control devices, proper irrigation, proper landscaping, rodent control, maintenance of landscaping and terracing slopes to minimize runoff velocity. The Erosion Control Plan shall specify the maintenance of devices following heavy rainfall periods to confirm that they are performing as designed.

39 EP SG G MITIGATION MEASURE 5 PA000061 (Custom)

Prior to issuance of any grading permits, the applicant shall submit evidence to the Manager, Subdivision and Grading, that the applicant has obtained coverage under the NPDES Statewide General Storm water Permit from the State Water Resources Control Board. Under this permit, each new development and significant redevelopment is required to comply with the following:

- a. Incorporate those construction notes recommended in the Countywide Drainage Area Management Plan (DAMP); and
 - b. Develop and implement a long-term post-construction Water Quality Management Plan, describing installation and maintenance of appropriate structural facilities and conduct of routine non-structural Best Management Practices (BMPs) consistent with the DAMP New Development Appendix G. Temporary erosion control measures shall be prescribed in a Storm Water Pollution Prevention Plan (SWPPP) and the project grading plans, and implemented during construction.
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40 EP SG G MITIGATION MEASURE 6 PA000061 (Custom)

Prior to the issuance of a grading permit, meeting the approval of the Manager, Subdivision and Grading, the project Landscape Management Plan will define the types of fertilizers and pesticides that will be used for the project. This plan will also include specifications from the Orange County Drainage Area Management Plan, Appendix F, *Management Guidelines for Use of Fertilizers and Pesticides*, to minimize water quality impacts from the proposed landscape areas of the project.

41 EP SG G MITIGATION MEASURE 7 PA000061 (Custom)

Prior to issuance of grading permits, the project proponent shall submit a groundwater monitoring program to the Manager, Subdivision and Grading and the Santa Ana Regional Water Quality Control Board (SARWQCB), with concurrence from the County of Orange Health Care Agency/Environmental Health as the solid waste Local Enforcement Agency (LEA), for approval prior to the issuance of the grading permit. In addition, the applicant shall be responsible for proving verification that an agreement regarding groundwater monitoring is established with IWMD.

42 EP SG/EH G MITIGATION MEASURE 9 PA000061 (Custom)

Prior to the issuance of a grading permit, compliance with this condition shall be approved by

the Manager, Subdivision and Grading, in consultation with County of Orange Health Care Agency/Environmental Health as the solid waste Local Enforcement Agency (LEA). The following dust suppression techniques as required by the SCAQMD Rule 403 shall be specified on project grading plans and implemented during construction periods.

- a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown.
- b. All active portions of the construction site shall be watered to prevent excessive amounts of dust.
- c. On-site vehicle speed shall be limited to 15 mph.
- d. All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.
- e. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.
- f. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes.
- g. All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- h. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized at all times.

Notes in the above format, appropriately numbered and included with other notations on the front sheet of grading plans, will be considered as adequate evidence of compliance with this condition.

43 EP B/LEA B MITIGATION MEASURE 10 PA000061 (Custom)

Prior to issuance of building permits, meeting the approval of the Manager, Building Permits, in consultation with County of Orange Health Care Agency/ Environmental Health as the solid waste Local Enforcement Agency (LEA)(see #1), the following energy saving features will be incorporated into the project design to comply with Title 24 of the California Code of Regulations established by the Energy Commission regarding energy conservation standards.

- a. Trees to provide shade and shadow to buildings,
- b. Solar or low-emission water heaters with combined space/water heater units,
- c. Energy efficient low-sodium parking lot lights.

Notes in the above format, appropriately numbered and included with other notations on the front sheet of building plans, will be considered as adequate evidence of compliance with this condition

44 EP SG G MITIGATION MEASURE 11 PA000061 (Custom)

Prior to the issuance of a grading permit, meeting the approval of the Manager, Subdivision & Grading Services, the following measures are required to reduce air pollutants generated by vehicle and equipment exhaust during the project construction phase:

- a. The construction contractor shall select the construction equipment used on site based on low emission factors and high-energy efficiency. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.
- b. The construction contractor shall utilize electric or diesel powered equipment in lieu of gasoline powered engines where feasible.
- c. The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use. During smog season (May through October), the overall length of the construction period should be extended, thereby decreasing the size of the area prepared each day, to minimize vehicles and equipment operating at the same time.
- d. The construction contractor shall time the construction activities so as to not interfere with peak hour traffic, and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.
- e. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.

Notes in the above format, appropriately numbered and included with other notations on the front sheet of grading plans, will be considered as adequate evidence of compliance with this condition

45 EP SG/LEA G MITIGATION MEASURE 13 PA000061 (Custom)

Prior to the issuance of a grading permit the project proponent and the landfill owner/operator shall develop a Landfill Gas Monitoring and Control Plan, including identification of all parties responsible for landfill gas control and monitoring activities to provide additional certainty about landfill gas movement at the landfill boundary, meeting the approval of the Manager, Subdivision & Grading Services Division with concurrence of the County of Orange Health Care Agency/Environmental Health as the solid waste Local Enforcement Agency (LEA), the South Coast Air Quality Management District (SCAQMD), and the California Regional Water Quality Control Board (RWQCB), Santa Ana Region.

46 EP LEA G MITIGATION MEASURE 14 PA000061 (Custom)

Prior to the issuance of the grading permit by the Planning & Development Services Department, the project proponent shall provide detailed drawings for all school structures. Further, the applicant shall demonstrate to the satisfaction of the County of Orange Health Care Agency/ Environmental Health as the solid waste Local Enforcement Agency (LEA), that the following design features have been incorporated into the project:

- a. A landfill gas barrier (foundation shielding) installed in the foundations of all enclosed, slab-on-grade structures within the project site.
- b. Passive venting foundations for all school buildings. The passive venting systems shall be designed so that they can be upgraded to active systems if required by the regulatory agencies.
- c. Proper sealing of all utility trenches, conduits, vaults, manholes, etc.

A completion report for the installation and monitoring of the above system shall be prepared by the project proponent and submitted to the LEA for approval.